

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

OCT 12 2011

DAVID J. MALAND, CLERK
BY
DEPUTY

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

DATATREASURY CORPORATION,
Plaintiff-Appellee,

v.

U.S. BANK, NATIONAL ASSOCIATION,
Defendant-Appellant,

AND

THE CLEARING HOUSE PAYMENTS COMPANY,
LLC,
Defendant,

AND

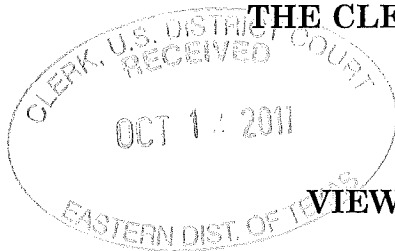
VIEWPOINTE ARCHIVE SERVICES, LLC,
Defendant,

AND

BANCORP SOUTH BANK AND BANCORPSOUTH,
INC.,
Defendants,

AND

BANK OF MONTREAL, BANK OF NOVA SCOTIA,
CANADIAN IMPERIAL BANK OF COMMERCE,
INTRIA ITEMS, INC., NATIONAL BANK OF
CANADA, ROYAL BANK OF CANADA, SYMCOR,
INC., AND TORONTO-DOMINION BANK,
Defendants,



DATATREASURY CORP v. US BANK

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AND

THE BANK OF NEW YORK MELLON
CORPORATION,
Defendant.

2011-1587

Appeal from the United States District Court for the
Eastern District of Texas in case no. 06-CV-0072, Chief
Judge David J. Folsom.

DATATREASURY CORPORATION,
Plaintiff-Appellee,

v.

U.S. BANK, NATIONAL ASSOCIATION,
Defendant,

AND

THE CLEARING HOUSE PAYMENTS COMPANY,
LLC,
Defendant-Appellant,

AND

VIEWPOINTE ARCHIVE SERVICES, LLC,
Defendant-Appellant,

AND

BANCORP SOUTH BANK AND BANCORPSOUTH,
INC.,
Defendants,

AND

DATATREASURY CORP v. US BANK

**BANK OF MONTREAL, BANK OF NOVA SCOTIA,
CANADIAN IMPERIAL BANK OF COMMERCE,
INTRIA ITEMS, INC., NATIONAL BANK OF
CANADA, ROYAL BANK OF CANADA, SYMCOR,
INC., AND TORONTO-DOMINION BANK,**
Defendants,

AND

**THE BANK OF NEW YORK MELLON
CORPORATION,**
Defendant.

2011-1604, -1605

Appeals from the United States District Court for the
Eastern District of Texas in case no. 06-CV-0072, Chief
Judge David J. Folsom.

ON MOTION

O R D E R

The parties move to dismiss Viewpointe Archive Services, LLC and The Clearing House Payments Company L.L.C. as parties in 2011-1587 and to withdraw The Clearing House Payments Company L.L.C.'s appeal no. 2011-1604, and Viewpointe Archive Services, LLC's appeal no. 2011-1605.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to dismiss Viewpointe and The Clearing House from 2011-1587 is granted in part. The parties

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will be listed in the caption as defendants. The revised official caption is reflected in the order.

(2) The motion to withdraw 2011-1604 and 2011-1605 is granted. 2011-1604 and 2011-1605 are dismissed.

(2) Each side shall bear its own costs in 2011-1604 and 2011-1605.

FOR THE COURT

OCT 07 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Jeffrey A. Lamken, Esq.
Bruce E. Clark, Esq.
John J. Feldhaus, Esq.
John R. Emerson, Esq.

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Issued As A Mandate (As To 2011-1604, -1605 Only): OCT 07 2011

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE.

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

By: L. Bogan Date: 10/7/11

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 07 2011

JAN HORBALY
CLERK